

Remarks

Claims 1-32 remain pending after entry of this amendment. Claims 15, 17, 19, and 32 were amended herein. The claims were amended to more fully clarify the invention. No new matter was added by the amendments made herein. Applicant thanks the Examiner for the indication of allowable subject matter in claims 1-14 and 28-32. Favorable reconsideration of the remaining claims is respectfully requested in light of the above amendments and the remarks offered below.

Claims 15-27 are rejected under 35 U.S.C. § 112, second paragraph. Applicant respectfully traverses this rejection.

Claims 15-19 and 27 are rejected under 35 U.S.C. § 102(b) as being anticipated by Olbright et al. Applicant respectfully traverses this rejection.

Claims 20-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Olbright et al. in view of Floyd. Applicant respectfully traverses this rejection.

35 U.S.C. § 112 Rejection

Claims 15-27 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner asserts that the phrase "laser area" does not provide elements to properly conform the laser area. Although Applicant does not necessarily agree with this rejection, claim 15 has been amended to state that the laser area comprises a bottom semiconductor DBR stack, an active region, and a partial top semiconductor DBR stack. Applicant respectfully asserts that this rejection be withdrawn in light of the above amendment to claim 15.

35 U.S.C. § 102 Rejection

Claims 15-19 and 27 are rejected under 35 U.S.C. § 102(b) as being anticipated by Olbright et al. Claim 15 has been amended to recite "an implanted region configured around said aperture area but not penetrating said aperture area". Olbright does not teach an implantation region configured around and not penetrating the aperture area, but instead teaches implantation regions impinging upon the aperture area. Because Olbright does not disclose all of the elements of the claimed invention, it does not anticipate the claimed invention. Claims 17-19 and 27

include the limitations of claim 15 and are therefore similarly not anticipated by Olbright. Applicant respectfully requests that this rejection be withdrawn in light of the amendments and remarks made above.

35 U.S.C. § 103 Rejection

Claims 20-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Olbright et al. in view of Floyd. Claim 20 is dependent on claim 15, which as discussed above was amended to recite "an implanted region configured around said aperture area but not penetrating said aperture area".

As noted above, Olbright does not disclose an implantation region configured around and not penetrating the aperture area. In fact, Olbright teaches that the implantation region does impinge upon the aperture area. Similarly, Floyd also teaches implantation regions that impinge upon the aperture area, as defined by the dielectric mirror. Because neither Olbright nor Floyd disclose or suggest implanted regions that do not impinge upon the aperture area, one of skill in the art would not be motivated to modify the teachings of Olbright and/or Floyd to produce the claimed invention.

Based on the above amendments and comments, Applicant respectfully requests that this rejection be withdrawn.

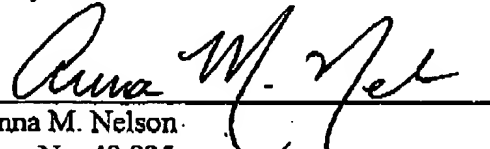
Conclusion

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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